

Request for Variance

Instruction Sheet

1. All requests for a variance must be received and approved prior to initiating any processes that require a variance to be issued.
2. All requests for a variance must contain the attached information sheet with the request.
3. All requests must be typewritten in at least a 12 pt. Font and be double-spaced.
4. All requests for a variance must have the following information contained in them:
 - a. Name of Establishment
 - b. Address of Establishment
 - c. Establishment Permit to Operate Number
 - d. The name of a contact person
 - e. Either an address or phone number for the contact person
 - f. The name of the variance that is being requested.
 - g. A listing of all relevant code sections that would be affected by the issuance of a variance
 - h. An analysis of what hazards/nuisances may be created by the issuance of this variance and how these hazards/nuisances will be abated
 - i. Copies of any written procedures that have been created to aid in the abatement of any hazards/nuisances
 - j. Copies of any sample forms that will be used
 - k. Any supporting documentation that can aid in the review of the request for a variance
 - l. A HACCP plan if required

Supporting Maricopa County Environmental Health Code Sections

3-502.11 Variance Requirement.*

A FOOD ESTABLISHMENT shall obtain a VARIANCE from the REGULATORY AUTHORITY as specified in § 8-103.10 and under § 8-103.11 before smoking FOOD as a method of FOOD preservation rather than as a method of flavor enhancement; curing FOOD; brewing alcoholic BEVERAGES; using FOOD ADDITIVES or adding components such as vinegar as a method of FOOD preservation rather than as a method of flavor enhancement or to render a FOOD so that it is not POTENTIALLY HAZARDOUS; packaging FOOD using a REDUCED OXYGEN PACKAGING method *except as specified under § 3-502.12 where a barrier to **Clostridium botulinum** in addition to refrigeration exists*; or preparing FOOD by another method that is determined by the REGULATORY AUTHORITY to require a VARIANCE.

8-103.11 Documentation of Proposed Variance and Justification.

Before a VARIANCE from a requirement of this Code is APPROVED, the information that shall be provided by the PERSON requesting the VARIANCE and retained in the REGULATORY AUTHORITY'S file on the FOOD ESTABLISHMENT includes:

- (A) A statement of the proposed VARIANCE of the Code requirement citing relevant Code section numbers;
- (B) An analysis of the rationale for how the potential public health HAZARDS and nuisances addressed by the relevant Code sections will be alternatively addressed by the proposal; and
- (C) A HACCP PLAN if required as specified under ¶ 8-201.13(A) that includes the information specified under § 8-201.14 as it is relevant to the VARIANCE requested.

Request for a Variance

Establishment Name: _____ Permit #: _____

Address: _____

Contact Name: _____

Contact Address/Phone: _____

Relevant Code Sections affected: _____

Please provide an analysis of how the hazards/nuisances that may be created by issuance of this variance will be abated. Provide written procedures that will detail how the hazard will be abated. Provide copies of any forms that will be used and any other supporting documentation that you feel will affect the issuance of this variance.